

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING

Wednesday, June 19, 2019

PUBLIC MEETING

PRESENT: Colleen Leonard, Council President
Jane Flanagan, Council Vice-President
Robert Stokley, Senior Council Member
Anita Barton, Council Member
Tina Sokolowski, Council Member
James Griffin, Council Member
Karen Tutino, Council Member
Yaniv Aronson, Mayor

ALSO PRESENT: Stephanie Cecco, Borough Manager
Michael E. Peters, Borough Solicitor

CALL TO ORDER

The Public Meeting of the Conshohocken Borough Council duly advertised, was held at the Conshohocken Borough Hall, 400 Fayette Street, Conshohocken, PA. Ms. Colleen Leonard, Council President, called the meeting to order at 7:00 PM.

PRAYER FOR COUNCIL

Ms. Flanagan read a Prayer for Council.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

COUNCIL PRESIDENT ANNOUNCEMENTS

There were no Council President announcements.

PRESENTATIONS

a.) Mental Health Resources Discussion, Sarah McGlinchy

Ms. Leonard introduced Sarah McGlinchy, resident, who was recently recognized by Montgomery County with the Recovery and Resilience Award for her work in suicide prevention and awareness. Ms. McGlinchy discussed upcoming mental health awareness events that she has organized for residents, which included a support group for suicide loss survivors.

b.) Consider amended final land development approval for SORA West: Keystone Property Group, Applicant

Mr. Peters explained that the applicant is seeking amended final land development approval. He provided a summary of the proposed changes to the plan since prior approval, which included a change in the footprint of the hotel building and an amendment to the list of waivers. He explained that the applicant had made certain assumptions about the hotel during the initial approvals and now, with a tenant, certain changes needed to be made to accommodate the tenant. Mr. Peters reviewed the conditions of approval per the proposed resolution.

Ms. Barton made a motion to approve amended final land development for SORA West, seconded by Mr. Griffin. Mr. Stokley recused himself. The motion carried 6-0.

c.) Public Hearing on 337 West Sixth Avenue Conditional Use Application: DJB Properties LLC, David Brosso, Applicant

Chris Stetler, Zoning Officer, introduced the application, which proposes to demolish an existing single-family detached dwelling constructed more than fifty (50) years ago. Mr. Danek explained that the applicant proposes to demolish the existing structure and construct two (2) single-family semi-detached dwellings with parking pads for each dwelling unit off of the alley. He presented photographs of existing site conditions, which displayed structural cracking on the interior and exterior of the home, soffit damage, water damage and outdated mechanical systems. Mr. Danek reviewed the structural engineering report, sketch plan and renderings.

Ms. Leonard asked whether the applicant had considered building two (2) single-family homes. Mr. Brosso replied that whenever possible he builds single family homes in the Borough. He explained that a twin is the best use of the subject property given the size and location of the lot. He agreed to further explore to feasibility of two (2) single-family homes with his engineer prior to land development.

Ms. Sokolowski inquired about the alley. Mr. Brosso stated that the rear alley would need to be improved with paved surface that connects the existing drivable alleyway.

Ms. Flanagan made a motion to grant conditional use approval for 337 West Sixth Avenue, seconded by Ms. Barton. The motion carried 7-0.

d.) Public Hearing on 203 East Twelfth Avenue Conditional Use Application: Ratoskey & Trainer Inc., Robert Ratoskey, Applicant

Ms. Stetler explained that the applicant has submitted a conditional use application pursuant to § 27-1905-C of the Zoning Ordinance to permit the demolition of the existing historic single-family detached dwelling. She described the present use of the property and the applicant's plan to subdivide the property into three (3) lots.

Robert Ratoskey, the applicant, discussed how he came to purchase the property and the reasons why it would be beneficial for the Borough to have the existing residential building demolished. Specifically, he stated that the current property and three (3) neighboring properties all have on-lot septic systems. As part of the demolition and redevelopment of the site, he would install a new sewer main and provide laterals to the new residences and provide laterals so that the other three (3) properties could connect to the public sewer system as well. Mr. Ratoskey confirmed that the proposed development is consistent with the neighboring properties and character of the neighborhood.

Mr. Griffin made a motion to grant conditional use approval for 203 East Twelfth Avenue, conditioned upon installation of a sewer main and lateral lines for connection to public sewer and construction of only single-family, detached dwellings on the lots, seconded by Ms. Barton. The motion carried 7-0.

e.) Consider preliminary/final minor subdivision approval for 203 East Twelfth Avenue: Ratoskey & Trainer Inc., Robert Ratoskey, Applicant

Mr. Peters explained that the applicant proposes to remove all existing structures on the property and subdivide the property into three (3) lots for future development as single-family detached dwellings. He reviewed the requested waivers and conditions of approval per the resolution.

Mr. Stokley made a motion to approve minor subdivision for 203 East Twelfth Avenue, seconded by Ms. Sokolowski. The motion carried 7-0.

f.) Consider preliminary/final land development approval for 1023 Fayette Street: Caucci Property Group LLC, Bob Caucci, Applicant

Mr. Peters explained that the applicant proposes to construct a two (2) story commercial building. He reviewed the requested waivers and conditions of approval per the resolution. Ms. Barton inquired about the waiver from § 22-424 to provide an enclosure and/or seating for the SEPTA bus stop located at the corner of the property. Robert Caucci, the applicant, stated that there was not sufficient space to install a full enclosure and bench and discussed concerns related to liability. Ms. Sokolowski mentioned that a goal of the Comprehensive Plan is to promote public transit. Mr. Peters stated that Borough staff and the applicant would continue to explore ways to promote public transit at that corner. Mr. Stokley inquired about the number of parking spaces being proposed on site and Mr. Caucci stated that the application would provide a surface lot with eight (8) parking spaces.

Mr. Griffin made a motion to approve preliminary/final land development for 1023 Fayette Street, seconded by Ms. Flanagan. The motion carried 7-0.

g.) Active Shooter/Emergency Management Drill Update, Ray Sokolowski, Executive Director of Operations

Ray Sokolowski, Executive Director of Operations, reminded everyone that the Emergency Management Drill is scheduled for June 22, 2019. He confirmed that all residents and business owners were notified.

CONSENT AGENDA

Ms. Cecco read and reviewed the items included on the consent agenda.

a.) Approve and adopt the April 3, April 17, May 1 and May 15 Meeting Minutes

Ms. Barton made a motion to approve and adopt the April 3, April 17, May 1, and May 15 meeting minutes, seconded by Mr. Griffin. The motion carried 7-0.

b.) Accept the May-ending Treasurer's Report and Accounts Payable in the amount of \$863,988.18

Ms. Sokolowski made a motion to accept the May-ending Treasurer's Report and Accounts Payable in the amount of \$863,988.18, seconded by Ms. Leonard. The motion carried 7-0.

NEW BUSINESS

a.) 400 East Tenth Avenue Zoning Hearing Board Application

Chris Stetler, Zoning Officer, introduced the item. She shared that the space was previously occupied by a photography studio and is currently being occupied by a security business. She explained that the applicant is seeking a special exception for a change of non-conforming use to correct the change of use without zoning approval.

Gerald Rath, the applicant's attorney, provided the history of the site and reviewed past zoning approvals. He explained that the applicant is requesting variances for off-street parking and sign size, and a special exception for a change of non-conforming use. He provided an overview of the security business, such as number of employees, services and hours of operation. Mr. Stokley made a recommendation to install parking spaces at the rear of the property. Mr. Rath replied that installing parking spaces on the site would require a variance for impervious coverage. Ms. Leonard stressed the importance of protecting off-street parking for residents in residential zoning districts.

Ms. Cecco shared that the Borough was provided testimonies from residents, specifically Charles and Elizabeth Kelley, Susan Thompson, Mary Ann Cook, who expressed opposition to this application.

Betsy Horning, 404 East 10th Avenue, mentioned that there is limited street parking in the area. She asked what the Borough is doing to ensure all U&O requirements and compliance issues have been addressed.

b.) 544 East Elm Street Zoning Hearing Board Application

Ms. Stetler shared that the applicant proposes to operate a specialty gym at the site. She explained that zoning relief is required for a gym use in the Limited Industry District. She added that the applicant is also seeking a variance for off-street parking.

Robert Careless, the applicant's attorney, provided an overview of the business, which included client base, hours of operation and peak hours. Mr. Stokley recommended that the applicant contact surrounding businesses with parking lots to secure some off-street parking.

c.) Consider approving SORA West financial security release in the amount of \$477,966.60

Ms. Cecco shared that the Borough received a request for a release of escrow for the SORA West land development project. She explained that the Borough Engineer inspected the completed site improvements and prepared a recommended escrow release for approval by Council.

Ms. Tutino made a motion to approve the release of SORA West financial security escrow in the amount of \$477,966.00, seconded by Mr. Griffin. Mr. Stokley recused himself. The motion carried 6-0.

d.) Consider approving 322 East Eighth Avenue financial security in the amount of \$9,325.00

Ms. Cecco shared that the Borough received a request for a release of escrow for the land development project located at 322 East 8th Avenue. She explained that the Borough Engineer inspected the completed site improvements and prepared a recommended escrow release for approval by Council.

Ms. Tutino made a motion to approve the release of 322 East Eighth Avenue financial security in the amount of \$9,325.00. The motion carried 7-0.

e.) Consider appointing Code Inspections Inc. as an alternate for Code Inspection Services at the submitted rate schedule

Ms. Cecco reported a need for supplemental code inspection services and asked Council to consider appointing Code Inspections Services at \$82.00 per hour, per plan reviewer/inspector.

Ms. Leonard made a motion to appoint Code Inspections Inc. as an alternate for Code Enforcement Services at the submitted rate schedule, seconded by Ms. Flanagan. The motion carried 7-0.

UNFINISHED BUSINESS

a.) Consider approving Resolution 2019-14 committing to a 100% Clean Renewable Energy Future

Ms. Barton made a motion to approve Resolution 2019-14 committing to a 100% Clean Renewable Energy Future, seconded by Ms. Tutino. The motion carried 7-0.

b.) Consider approving Resolution 2019-15 granting an amendment to the waiver of land development for 130 West Fifth Avenue

Mr. Peters explained that the amendment to the waiver of land development would allow for twelve (12) residential units and no commercial space, subject to compliance with all terms and conditions set forth in the resolution.

Ms. Sokolowski made a motion to approve Resolution 2019-15 granting an amendment to the waiver of land development for 130 West Fifth Avenue, seconded by Ms. Barton. The motion carried 7-0.

c.) Consider adopting Ordinance 04-2019 establishing rules and regulations for the Borough's parks, playgrounds and public recreational areas

Ms. Cecco shared the proposed Ordinance amends Chapter 16 of the Borough Ordinance, Parks and Recreation, to incorporate current park rules and proposed additions to park rules. She noted that such rules and regulations would be established from time to time by resolution. She explained that the proposed Ordinance also specifies that all Borough parks, playgrounds and other recreational areas are to be tobacco-free and provides for penalties for violation of the rules and regulations.

Ms. Leonard made a motion to adopt Ordinance 04-2019 establishing rules and regulations for the Borough's parks, playgrounds and public recreational areas, seconded by Ms. Flanagan. The motion carried 7-0.

d.) Consider approving Resolution 2019-16 establishing rules and regulations applicable in Borough parks, playgrounds and public recreational areas

Ms. Cecco read the rules and regulations that would apply in all Borough parks, playgrounds and other public recreational facilities per Resolution 2019-16.

Ms. Barton made a motion to approve Resolution 2019-16 establishing rules and regulations applicable in Borough parks, playgrounds and public recreational areas, seconded by Mr. Griffin. The motion carried 7-0.

Ms. Cecco added an item to the agenda. Ms. Cecco asked Council to consider approving the removal of the Conshohocken History Exhibition at Borough Hall and the purchase of two (2) display cases to house artifacts from the Historical Society on a rotating basis.

Ms. Leonard made a motion to approve the removal of the Conshohocken History Exhibition at Borough Hall and purchase of two (2) display cases to house artifacts from the Historical Society on a rotating basis, seconded by Mr. Stokley. The motion carried 7-0.

PUBLIC COMMENT

Mike Makoid, 112 West 9th Avenue, discussed two (2) recent plant malfunctions that have occurred within six (6) months at Covanta Plymouth. He reported that Covanta has failed to meet emission requirements and violated the Clean Air Act. He voiced concerns about the age of the plant and the likelihood that another malfunction could occur. He asked Council vote against a contract extension with Covanta.

Doreen Peterson, 224 East 9th Avenue, reported concerns about Covanta Plymouth, specifically the impact that the emissions have on the safety and health of her children.

Kevin Lukens, 203 East 8th Avenue, requested that Covanta provide notice of plant maintenance to surrounding municipalities.

Cheryl Darby, resident of Whitmarsh Township, stated that there are several schools within close proximity of the Covanta plant and that she is concerned about the health and wellness of children.

Joseph Pinto, 151 West 11th Avenue, reported that he saw smoke coming from the stack at the Covanta plant during the malfunction.

John Costello, 431 East 10th Avenue, made a comment about the 400 East 10th Avenue Zoning Hearing Board application. He suggested that the applicant install parking at the rear of the building using impervious pavers or stone.

Mayor Aronson thanked Council for supporting the Ready for 100% initiative. He shared that the Dog Park Advisory Committee would like to host a roundtable discussion with the public to discuss promotion of the dog park and the registration process.

Ms. Barton provided an update on the Sewer Authority regarding water usage and shut-off notices. She also shared information from the PSAB Conference.

Ms. Sokolowski voiced excitement about the Emergency Management Drill.

Ms. Flanagan shared how Council prepared for this evening's meeting.

Superintendent Metz announced the Detective Walter was sworn in to the FBI Child Exploitation and Human Trafficking Task Force. He added that having a member assigned to an FBI task force provides the department with tremendous resources from the federal government.

ADJOURNMENT

The meeting was adjourned at 8:33 PM.

Respectfully Submitted,

Stephanie Cecco,
Borough Secretary